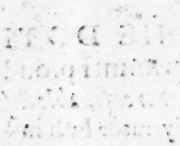
THE PALINOD

OR RECANTATION of Iohn Coluill,

WHEREIN HE DOTH PENITently recant his former proud offences, *ſpecially that treaſonable diſcourſe* lately made by him againſt

The vndoubted and indeniable title of his *dread Soueraigne Lord, King IAMES* the ſixt, vnto the Crowne of England after the deceaſe of her Maieſtie.

EDINBVRGH
Printed by *Robert Charteris*, Printer to the Kings moſt excellent Maieſtie: and are to be ſolde by *Walter Burre*, dwelling in Paules Church-yarde at the ſigne of the Crane. 1604.


BODLEIANA
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TO THE READER.

BEhold heere (gentle Reader) a ſtrange ſpectacle of a man tormented vvith the rack of his ovvne conſcience, vvho as he vvas not affrayed to ſpevv out of his knovvledge and vvilfullie, the gall and venome of a malitious heart, againſt his ſacred Prince, of vvhom he had in moſt bountifull manner receiued manie Princelie favors, ſo novvv doth he not ſtick reſolutelie to proclaime before the heavens and the earth, that he is forced to eat vp that ſame filthie vomit, and to ſpeak more bitterlie a thouſand folde againſt him ſelf, then anie man elſe could: and ſo much the more, as he vvas more privie to the faults, and anguiſhes of his ovvn ſoule, then any others could be. The vvork I haue publiſhed as it came to my hands, vvithout adding any thing ther to, or diminiſhing ought therfrom, or altering any part therof. preſuming that the ſame ſhould neither be offenſiue to his Maieſtie, for vvhoſe privat ſatisfaction it vvas firſt penned, or diſpleaſing to M. Iohn Colvill the authour therof: vvhom thou mayeſt aſſure thy ſelf vpon the credite both of honorable and honeſt perſons to haue purpoſelie vvritten and ſigned the ſame vvith his ovvne hand & moſt humblie vpon his knees, in the preſence of the Erles of Argyle & Craufurd to haue deliuered it to the L. Archbiſhop of Glaſgovv, his Maieſt. Ambaſſadour in France, moſt earneſtly craving, that his Lordſhip (vvithout any interceſſion for him) vvould only vouchſafe to preſent it to his Mateſties vievv, not in any hope that in reaſon he could conceiue of any favour or pardon from his highneſſe thereby, but rather to diſburthen his ovvn fraughted conſcience, preſſed dovvn vvith a vvaight of ſorrovv, heavier than the mountain Ætna. Which reaſonable petition vvhat ſtonie heart could denie to him, vvho ſeemes to think no ſhame to be a ſufficient reuenge taken of him ſelf, vvho vvith ſo

high a hand, had reuyled the annointed of the Lord, & doth now by this, as with a loud trumpet proclaime to all subiects,

Discite Iustitiam moniti. &c.

And trulie (good Reader) notwithstanding hypocrisie is of all sinnes the moste close and secrete, and most hardlie remooued, and that (as he doth confesse of him self) that he hath had a most subtile and vndiscernable vaile of it: yet remember the common saying, that the man runnes far who neuer returnes, and that in charity we are to conceyue and hope his repentance to be vnfained, which we may boldly and confidētly affirme, if to this good beginning he shall add of his feruent zeale, to beare testimonie to the truth, a plaine and perfite discouerie of all manner of plots & treacheries, intended against the Kings Maiesty, by himself or others to his knowledge, which the great King of Kings would neuer haue to be concealed: & lykewise of all manner of persons subiects or aliens, who hath either of malice to his Maiesty, or loue to himself, bene contriuers, entysers, prouokers, counsellers, adoers, or assisters to any such mischeuous enterprises, as directly or indirectly could subuert, or anie wise harme his Maesties Royall person, croun, title, honour, state, or dignity, and by consequence might draw with them the confusion and ruine both of the Kirk and Common weale. To which, no doubt, all his honest friends will earnestlie incite him, and his conscience (if it be sinceare) will prick him, and for which all good and religious persons will highlie commend him, seing heerby God shall be glorified, his Maesties safetie and honour continued, his countrie preserued, and the Kirk fully satisfied in his harty conuersion and repentance.

Farewell. A. C.

THE PALINOD
OF IOHN COLVILL,

Wherin he doth penitentlie recant his former proud *offences, ſpecially that treaſonable diſcourſe lately made* by him, againſt the vndoubted, & indenyable title of his dread ſoueraigne Lord, King IAMES the ſixt, vnto the crown of England, after deceaſe of her Maieſtie preſent.

IF my onelie name mentioned in the inſcription of this my recantation ſhal make my diſcourſe odious, I can not meruell, ſeing I am becum for my treaſonable naughtineſſe lothſome and odious to my ſelfe, my conſcience not only ſtanding vp as a thouſand witneſſes againſt mee, teſtifying the heynouſneſſe of my tranſgreſſion, but alſo furniſhing within my ſelf, againſt my ſelf, all other neceſſarie members of a lawfull court to condemne mee, ſhee being my actor, aſſiſe, Iudge, dempſter and burreau, ieaning and tormenting mee with vnſpeakable terrors, whereof I neuer could finde reſt or quietneſſe, till God of his infinite mercie knowing my weakneſſe and imbecillitie to be ſuch, as without help I could neuer ryſe, did ſend vnto mee a Nathan, whereas I lay lethargicke in my former deſperation, without ſenſe or feeling of the dangerous eſtate I

was into, who letting mee ſee and feall the deepe & dolour of my Apoſteme (which of before as a blinde and leprous perſon I did neither ſee nor feele) incontinent I waxed exſtatick and aſtoniſhed, as if without my knowledge I had found a ſnake hid in my boſome not knowing the meanes how to be ridd thereof. So remaining ſome dayes in this inquietude the foreſaid Nathan, or rather Eliſæus appointed by God to cure my leproſie, finding mee in this perplexitie, began to comfort mee in manner following: ſaying, My friend, I haue let you ſee and feele an hid & horrible Apoſteme, the dolour whereof, if you haue an ſoule, muſt needes torment you in pitifull manner. Now to eaſe you of this dolour, I will miniſter vnto you an vnexſpected medecine, for the inexſpected wound that I haue opened vp vnto you: letting you vnderſtand that as your proud enormity is three-fold, ſo muſt you make a threefold ſatisfaction: one to God whome againſt your conſcience, as you your ſelfe confeſſe, you haue offended, in offending his annointed your Lord and Soueraigne, and in this point I remit you to your owne priuate meditation, wiſhing you to bewar of hypocriſie, as you would incurre or eſcape eternall damnation. Another ſatisfaction is due to your Prince, wherein you cannot better declare your vnfeined repentance, than to bleſſe with the ſame tongue that hes blaſphemed: and with the ſame hand that did write againſt the veritie, to publiſh your owne lewdnes and vnloyaltie, to his Maieſties

ſties honour, & your owne turpitude. And this forme of doing by all appearance ſhal alſo ſatisfie the third partie whome you haue exaſperate, to wit, all good ſubiectes ſcandalized by your preſumpteous and arrogant misbehauiour: the rather when as they ſhal ſee your repentance voluntare, and not conſtrained, & your ſelf free and no priſoner. The Oliue branche was not more welcome to Noah, nor to the creple, *Tolle grabatum tuum & ambula*, then this advyſe was vnto mee, for fulfilling whereof my verie ſecreat teares, (requiring neither vaunting nor witnes, *Ille dolet verè, qui ſine teſte dolet*) and this my publict recantation ſhal beare teſtimonie to the world. In which recantation, I will not go about to declare what pretended neceſſities may moue men vnto: but ſetting aſide all excuſes, I acknowledge in humilitie that no ſuch occaſiō can be offered by a Prince, as can make a good ſubiect declyne, as I haue done. For the Prince is the immediat Lord of our bodies, and of all our worldlie fortunes, hauing power to diſpone thereupon at his pleaſure, as Saint Ambroſe doth confes, Epiſt. 33. *ad Marcellinam ſororem*. Whereof Samuel in the originall inſtitution of a King hes left to all poſterities an indenyable teſtimonie: So Princes beeing as it were Gods of the earth, they are not anſwerable to earthly men, bot to the ſupreme Godhead allanerlie: and we their Vaſſals, doe as they liſt to vs, can haue no warrand to go further, nor Samuel did go, viz. to pray for them till God forbid: and if he ſhould forbid, yet ne-

uer to looſe our tongue, nor liſt our hart nor hand, or animat the people againſt them, more nor Samuel & Dauid the annointed ſucceſſor did againſt Saul, and Elias againſt Achab. And to this effect are pronounced all thoſe golden ſentences, *Omnis anima poteſtatibus ſuperioribus ſubdita ſit. Reddite Cæſari quod Cæſaris eſt. Obedite Principibus etiam diſcolis.* Together with the louable example of ſome Prophetes that did pray for the felicity of infidell Princes, obeying and exhorting others to obey them. I am not then to extenuat, but to aggrauat my offences, accuſing, not excuſing my ſelf: And in one word, Chriſtian Reader (vnto whoſe hands, this Recantation witnes of my vnworthines, may come) I pray thee read it with patience & pitie, and iudge with thy ſelfe, if I haue not iuſt occaſion to lament my eſtate, ſince neither at God, nor my Princes hands I can look for anie thing, but iuſt deſerued punition, both heere and hence, except of grace they haue pitie on mee. Take mee for an example of vnhappines, and as a Mirrour wherein thou may ſee what is deforme and vnſeemlie to them that wouide remain in honeſt reputation, and howe eaſilie it may be loſt, that is moſt difficill to be found. Of one thing I may aſſure thee (as is before ſaid) that my behauior cannot ſeeme half ſo deteſtable to thee, as it is to my ſelf, wherof thou may in thy owne perſon haue experience, in caſe (which God forbid) thou fall as I haue done. Wherefore I pray Almightie God of his mercie, that as my actions haue bene offenſiue to manie,

ſo

ſo my repentance may not only be acceptabil to manie, but alſo a caveat for all to flee ſuch dangerous & diſloyall courſes, wherin skarce one of a thouſand cã eſcape. That ſame Almightie God graunt vnto thee a better minde and better fortune, and vnto mee a better anſwere, and end, nor my former lyfe hes deſerued.

AS the wounded Vrſe or wyldegoat ſeeking his Origane, doth with his filthie ſome and breath infect all other hearbes: and as the Waſpe of good and bad flowrs gathereth no thing but poiſon: Euen ſo a man wounded with malice and curioſitie, doth vitiat and wreſt whatſoeuer ſubiect he taketh in hand, delyting more to defend lies nor trueth, improbabilities nor probabilities, paradoxes & ſhadowes in ſtead of Orthodoxe and ſubſtance: and herevpon hes proceeded ſo manie idle and abſurde opinions, ſum impugning the ſnow to be white, or the Sunne hote, ſome praiſing follie, Cupid, and manie other far more ridiculous toyes, yea ſome preſuming to deny Gods prouidence and God him ſelfe. Lyke as out of this ſame puddle of malice & curioſitie, did flow my late inuectiue againſt the King my ſoueraignes iuſte title to the crowne of England, wherin by Elenches, and by no good arguments, by ſophiſtrie, and no formal Syllogiſmes, I labour, to my eternall diſcredite, to make white black, and light darknes. But as the Sun cannot alwaies be obſcured with cloudes, and as the

gemme or pretious ſtone doeth not loſſe his vertue, though he be couered with filth & villanie: no more can my partiall cavillations impeſhe his Maieſties poſſibilities, or diminiſh anie thing of his grandeur. For as the ſteill the more it is vſed the leſſe it doeth rouſte: a valiaunt knight the more he be aſſailed, the more appeareth his valour.and the more gold be tryed in the fire the more it is purified: Euen ſo the more his Maieſties title be oppugned with frivolous ſophiſtique contradiction: the equitie and iuſtneſſe therof is but the more manifeſted, as by this refutation of my former naughtineſſe, ſhall euidentlie appeare.

Then to come to the purpoſe, the ſcope of al my venemous ſatyre, was to proue that his Maieſtie had no iuſt title to the crown of England, neither by divyne nor humane Lawe, drawing my firſt Sophiſme from the Law of nature in this ſort.

By right or lawe of nature nothing is myne nor thine: but all be common, nothing proper, and no proprietare: *Ergo*, be law of nature no proprietie can be acclaimed.

Heervnto is anſwered, that in the libertie vſurped by mee in confounding *Ius & Legem*, that is to ſay, Right and Law, (it being *genus*, and this *ſpecies*:) I hyde my ſelf in many ſtarting holes, whereof by diſtinction of theſe two words I am eaſily cut off. Next the antecedent is fals. For in the originall creation of all naturall things, when as there could be no other Lawe but *Ius naturæ*, no *Ius gentium* nor civill, becauſe there

was

was neither nation nor citie at that time, Adam was Lord and proprietar of that originall place. and of al naturall things therein contained: as in Geneſis the firſt and moſt ancient hiſtory is expreſſed So the antecedent beeing falſe, the conſequent can inferre no verity.

My ſecond caption is grounded vpon the Etymologie or definition of the Law of Nations in this ſort.

The right of Nations is that which equallie is obſerued among all Nations: but the right whereby his Maieſtie would poſſeſſe the crown of England is not equallie obſerued among all Nations: *Ergo*,&c.

By diſtinguiſhing or explaining the aſſumption the ſubtility of this caption is elided:for although the Law of proximitie of blood(wherupon his Maieſties title is grounded) be not equallie obſerued in all Nations, yet all Nations admit the generall: that is to ſay, to haue Magiſtrates and ſuperior powers, confeſſing therwithal that theſe Magiſtrats or powers haue iuſt titles either by ſucceſſion, election, or by ſome other forme aggreable to the nature of the countrie wher they are: ſo the particular diuerſitie of cuſtomes in ſucceſſion proceeding from the diuerſitie of civill and municipall Lawes in euery Realme,doeth not ſeclude the generall vniformitie of all Nations which (ſauing in ſuch as be altogether barbarous, & *quæ pro beluis habenda ſunt*) doe all holde that Magiſtrates haue iuſt titles to ſuch kingdomes or Republiques as they be called vnto, And therfore his Maieſties tytle doth

not

not disaccord, but accord with the right of Nations *in genere.*

My third captioun grounded on the civill Law is so confused and cautelous, that it cannot well bee reduced to anie forme: I will therefore with this cleare demonstration open vp and impugne the same. As for the ciuil Law, if we meane the Romane or Imperiall to the Emperours, their selues haue confirmed and obserued *Iura sanguinis*, following *Edicta Prætorum, vnde Liberi, vnde Legitimi, vnde Cognati.* And if thereby we shall vnderstand the Municipall or common Law of euerie Realme: then may it be evidentlie prooued that euery Realme hes prouided and established fundamentall Lawes for maintayning the blood Royall in the right line. Whereby it is euident, that by the Law Ciuill, in what sense soeuer it be taken, his Maiestie hath a most iust claime and competition.

As to the Law Diuine, by the historie of Iacob & Esau may appeare, what respect and preferment was giuen to *Primogenitur*, or first-birth; seing Iacob, thogh he was elected, did pretend no right thereto, vntill his elder brother did renounce and abiure the same. And in Numeri the same prerogatiue is confirmed to the eldest: and euerie one ordained to succeede according to proximitie of blood. Heerewithall the lineal succession of the Kings of Iuda, from father to children, and failing thereof, to neerest kinsmen, doeth manifestlie proue this *Ius sanguinis* to haue bene autorized as wel in the Pallice, as amongst the people.

Neither

Neither can that of Moises in Deuteronom. be omitted: *vbi Odiosæ Filius primogenitus dilectæ Filio præferri iubetur*, such was the respect of *primogenitur*. And albeit this right of *primogenitur* was altered in Iacob, Ioseph, Salomon, and some others: yet such few particular exceptions, done at the speciall command of God, (whose pleasure is reason, and whose power hath no limitation) doth not abolish the generall Law more nor the particular fact of Phineas doth abolish the general Law against homicide: or the Polygamy and incest of the Patriarkes, destroy the Lawe against Incest and Adulterie. Then the Law of God, (howsoeuer I haue wrested the same in my former partialitie) doeth not derogate, but corroborate the title of my Soueraigne Lord, vnto the Realme foresaid.

But the chief question wherein I doe most cavill, and calumniat is this. If a Prince hauing *Ius sanguinis* to an other Realme, (as this present King of France, Henrie the 4. beeing but King of Nauarre had to the Realme of France, and as my soueraigne Lord hath to that of England) if anie Positiue Law of that Realme where he should succeede, can iustlie seclude him? Whereunto my answere is negatiue: impugning my former affirmation first in *Thesi*, syne in *Hypothesi*, by these vrgent reasons and examples following. *In Thesi.*

First, Princes having no superiour power but the supreame Godhead, they be only subiect to his lawes *& omnibus alijs legibus humanis soluti dicuntur*, and if of their

their naturall pietie or goodneſſe they ſhall humble them ſelf to be ſubiect therevnto, (as Theodoſius & Valentinian ſeemed to advyſe them, ſaying, *Digna vox Principe Legibus ſe ſubditum eſſe fateri*) that ſubiection or rather moderation *eſt voluntatis, non neceſſitatis officium*. Which aſſertion is founded vpon good reaſon: for if forraine Lawes ſhould binde them, then were they vaſſals & no Princes: if domeſtick lawes, then ſhoulde they be aſtricted to punition, in cace of tranſgreſſion, and to be aſtricted to punition, is a manifeſt ſubiection, no ſoveraignitie.

Card. Florent. in Conc. 2. Feli. in cap. 1. de conſtitut. Bero. in Paragr. 1. d. jur id. omnium iud. in conſuc. Bituri. Paragr. Optimam. Authen. de exhibe. Rev. Paldi in cap. ſignificant de reſcriptis

Next, althogh it may be ſaid that the Prince in his Fiſque, and in manie vther things *quæ ſunt privati iuris*, is ſubiect to the Lawe: yet neither may hee nor his crown be bound *in ys quæ ſunt iuris publici. Atqui ius Regiæ ſucceſſionis publicum eſt, cum omnes dignitates ſint publicæ*. As alſo the ſame may bee vereſied by all the titles of the Lawe conceiued of Dignities and Magiſtrates, both in the Digeſtes and Code.

Thirdlie, if anie Lawe may be extended to the crowne or Prince, they ſuld bee expreſſe mentioned therein: ſpeciallie, where the Law is excluſiue, diuiſiue, or obligatorie: and for this cauſe the Law excluding the femals *à feudis*, the Lawe of diviſion of heritage *inter fratres & ſorores* the Lawe obliſhing the ſucceſſor with the goods of the defunct to pay his debts, binds not the crowne, when the crowne is not expreſſed, *& per rationis identitatem*, the Law *contra peregrinos* conceiued ſimply without mention of the crown

may

may not be extended therevnto. To affirme the contrary heerof, and to alleadge that *Iura ſucceſſionis & hæreditaria* which be made in any Realme ſuld binde the Prince aſwell as the people, becauſe they bee made within the Realme which he hes or pretends to haue is to ſturre vp ſedition: yea it is as abſurde and inept as to perſew a Shire for a whole Prouince for fulfilling all contracts made within his jurisdiction, or within the precinct of the ſaid Prouince, or as who ſhould think the Schoole-maiſter ſubiect to the order appointed by him ſelf for ruling his Diſciples.

Ferdlie, to this houre there can bee no example exhibite where anie having the title of blood to the crowne of England, with power and courage to bear out the ſame, that any Poſitiue law hath barred them. For proof whereof, I will vſe onlie ſuch examples as be moſt recent. The Poſitiue lawes made in Henrie the ſixt his time, againſt Edward Duke of Yorke, did not impeſche him, nor his race, from the crowne, nor the bitter ſtatuts made by Richard the vſurper againſt that moſt magnanime Prince of worthie memorie, Henrie the 7. did not ſeclude him from the right which he had both by God and nature. Yea in our dayes the manifold Lawes, and libels defamatours made againſt the moſt chriſtian King preſent, could not impeſh him from the crowne of France.

Now *in Hypotheſi*: I cum to examine ſuch Poſitiue Lawes as bee obiected againſt the King my ſouerai-gnes title, of which kinde there bee ſpeciallie two:

One

One auncient, an other later. To impugne the an
cient I take my first argument from the Rubricke, o
Intitulation thereof, bearing these words: *De ceux q*
sont nez outre ou de la mer. i. De trans mare natis. By whic
Rubricke or argument, it is verie probable that thi
statute in the originall thereof, did not containe th
word *Peregrinis*: for the tenour of a Lawe shoulde n
exceed the nature or substance of the title, and so
should not preiudge his Maiestie, who is borne with
in the said Yland. As also to them that will indiffe
rentlie marke the drift and intention of that statut
they shall finde it tend onelie against children born
without the four seas which compasse the said yland
whereby Scotland is no more secluded nor Wales &
Cornewall. And so it is not improbable, (whic
some alleadge) that the Rubrique foresaid should b
De Peregrinis trans mare natis, non De Peregrinis & tra
mare natis.

Secondlie, because the said Law was proponed i
the 25. yeare of the raigne of Edward the 3. vppon
question mooued, If children borne out of his allea
geance might possesse heritage within England
Whereunto was answered and enacted, that all chil
dren borne ouer sea, hauing their Parents at the tim
of their birth at the faith and obedience of the crou
of England, should enioy alike benefite & priuiledg
as other heires borne within the Realm: so the statut
is a generall affirmatiue for that particular: and th
argument obiected therupon, is *a contrario sensu*, which
kind

kinde of argument prooues nothing. For if I ſhould ſay, *Omnis homo eſt animal: Ergo quod non eſt homo non eſt animal* the conſequent wer falſe · and therefore is the deciſion of the Law, *Argumentum à contrario ſenſu nõ procedit in verbis narratiuis Legis. Nec etiam in verbis diſpoſitiuis Legis*, when that argument is inferred to correct or reforme the common Law (like as in this cace it doth by drawing the Law *contra trans mare natos* in a ſpecialitie contrair the common Lawe, to the prejudice of higher powers, which be not vnder the power or cõpaſſe of humane lawes) and for this cauſe the other ancient deciſion is contrair to their intention, wherin is ſaid. *Argumentum à contrario ſenſu non procedit vbi ſequitur correctio Iuris cõmunis in ſpecie.*· Thirdly the words of the ſaid ſtatute running vpon, and ſo oft expreſſing heires and inheritance, declares the meaning therof onlie to be directed for priuat perſons, who muſt ſucceede to their anteceſſors *Iure hæreditario*: for Princes ſucceede aſwell *Iure familiæ*, as *Iure hæreditario, & ordinis naturæ beneficio non hominis*, and are not as priuate mẽ aſtricted to enter *cum onere debitorũ*, but they enter as pleaſes them, the one or the other way, to the end their crownes bee not exhauſt and exſorbed: ſo the ſaide ſtatute beeing conceaued for the vſe of priuate men allanerly, that muſt enter as heires and no other way: it cannot preiudge his Maieſtie who may enter an other way, viz. *per Ius familiæ*, apperteining to all Princes Soveraigne.

Doct. in cap. de electione, & electorũ, poteſt & in cap. delecto de prebend

·· Capi a nobis 2. de ſent. excommu. & ibi Panorm. in cap. vnico de quaſi & ætat. ordinat.

Oldrod. con. 94. & Molinus in conſuetud. par. & omnes Doctor.

Ferdlie, ſeeing this Law againſt ſtrangers was foũ-

ded vpon two reſpects which pertaine onlie to priuat men and not to Princes, it can no way ſtrike vppon them. The firſt reſpect was grounded vpon the conſideration of loyaltie *Quia duorum Principum ſummorum vnus ſubditus eſſe non poteſt*, agreeable vnto that of the Euangell, *Nemo poteſt duobus dominis ſeruire.* The other reſpect was to ſaue tranſport of gold and ſiluer, and other defended commodities, and to cut off the occaſion of priuate intelligence & practiſes. For which cauſe in France was made *Ius albinatus*, as the practiſians teſtifie. Now in the perſon of a Royall ſucceſſor theſe conſiderations of loyaltie, tranſport, and intelligence are not to be feared.

Chop. capit. Num. 33 Liu. 1. de Domain.

Fiftlie, in Realmes where moſt ſtrait Lawes bee kept againſt ſtrangers, as in France, that *Ius albinatus* forſaid, by which of neceſſity all ſtrangers that would teſtate or ſucceed, they muſt be naturalized with this clauſe *(modò ſint Regnicolæ)* yet Princes haue ſucceeded and do ſucceede to great lands and Dignities within that Realme without anie benefite of naturalization, as the old Kings of Nauarre borne out of France, to manie fair lands in Guyen and Languedok. The D. of Lorane to the Dukerie of Bar: yea of old the kings of England to the ample Dukeries of Aquitane, Anjou, Normandie, and Britaignie, and that becauſe ſoueraignes are preſumed euerie one to be brethren to other: and being brethren, it wer indigne to eſteeme them externe or ſtrangers, and inept to make them ſubiect to Lawes of alleageance, which be onely pro-

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per to subiects and vassals.

Sixtlie, the clause conteined in the said pretended act, excepting *Les Enfans du Roy*, doth exeeme the king my soveraigne out of the compasse thereof: for that word *Enfans* is in the Latine *Liberi*: and be *Liberi* in the originall and right signification, is not only meaned children *in primogradu*, but also *Nepotes & pronepotes & nats natorum, & qui nascentur ab illis. Et hos omnes qui ex nepotibus descendunt, lex duodecim tabularum filiorum nomine comprehendit.*

Pant Patragr. de grad. affinit. tutric. Calistr. paragr. iuer. Paragr. de verbo. figura.

Seuenthlie this Law foresaid *de albinatu*, although conceaued generallie, yet could it not bee extended to the crowne aswell as to the subiect: and therefore the wise and learned did deuise the Lawe Salique for the succession Royall.

Last, if this statute against forrain birth take place, then shall manie absurde inconuenients follow therupon. First Princes (the ornament, bewtie, and light of the world, without whome were nothing but darknesse, disorder, & confusion) they should be in worse condition nor the mosse ignoble subiect of their Realme: for by that Law subiects may euer succeed, hauing their parents subiects: but Princes cannot haue that immunitie, because their Parents were neuer subiects. Againe, if a Prince for honor of his Realm, or for securitie or enlarging therof, shall matche himself or his children with a forraine nation where hee or they beget children: what barbarous iniquitie wer it to preiudge the parents remaining abroad for so

honorable cauſes, or to hurte the innocent children for a matter which lay not in their power to mend.

Now for particular examples to illuſtrate theſe argumentes, I alledge but a fewe both before and after the conqueſt, to ſhewe that forraine birth makes not incapabilitie to the crowne of England. Edward the King & Confeſſor before the conqueſt, did cal home out of Hungarie his Nevoy, Edward ſurnamed Vdiſlae borne in Hungarie, who deing before the king his Vncle, the ſame King Edward declared Edgar Athelin ſonne to the ſaid Vdiſlae borne alſo in Hungarie, to be iuſt heritor, albeit he was afterward defrauded thereof. And after the Conqueſt, Richard the firſt going to conqueis Ieruſalem, inſtitute his Nevoy Arthur, who was borne in Britaignie, & young Duke thereof, to be his ſucceſſor. Like as king Stephan and King Henrie the 2. were both borne in France, their Parents not being of the alleageance of England, & yet they were capable of the crowne of England.

The vther argument wherewith they impugne his Maieſties title, is grounded vppon a ſtatute made in the 28. yeare of the raigne of Henrie the 8. of worthy memorie, wherein by conſent of his Eſtates in Parliament is graunted vnto him full power by his letters Patents, or by his Teſtament ſigned with his hand, to declair, determine, and deſigne the ſucceſſour of the crowne in cace his owne children ſhould faile, without iſſue of their owne bodies, and the ſaid crown to bee eſtabliſhed in the perſon of the ſaid ſucceſſor by way

way of reuerſion or retour, as they call it. By vertue of this authoritie or arreſt of Parliament giuen to the ſaid noble Prince, our aduerſares doe alledge that by his latter Will or Teſtament, he did inſtitute and ordaine the ſucceſſion of Francoyſe Counteſſe of Suffolke, his Neice by Marie his youngeſt ſiſter to ſucceede, ſecluding altogether Margaret Queene of Scotland his eldeſt Siſter and her deſcēt. Wherunto I reply ſhortlie, firſt by coniectures, next by peremptorie anſweres.

It is not probable that a Prince ſo righteous, ſo wiſe, ſo kinde, as King Henrie the eight was known to be, that he ſhould ſo vnkindlie and vnrighteouſlie deale with his eldeſt ſiſter germane, as to ſpoile and degrade her and her innocent ſucceſſion of all honor and exſpectation that God and nature had prouided for them.

Next, hee could not forget the commendable anſwere of Henrie the ſeaventh, his moſte prudent father, who at the contract of mariage made betwixt King Iames the fourth of worthie memorie, and Ladie Margaret eldeſt daughter to the ſaid King Henry the ſeauenth: ſundry of his counſel labouring to empeſh that mariage, ſaid vnto him, that it might come to the great diſhonour and diſcommoditie of the realme, in cace, which was verie poſſible, that England ſhoulde fall to bee ſubiect to the Kings of Scotland: Whereunto the ſaid noble Prince anſwered, that in cace it fell out ſo, there was no inconuenient to En-

gland: for as William the Conquerour atteining to the crowne of England, did ioine and ſubiect Normandie to England, and not England to Normandy, ſo Scotland beeing the leaſt of the two Realmes ſhould be ſubiected to England, if any ſuch accident ſhould arriue, becauſe the leſſer muſt cede and giue place to the greater. By which anſwere the ſaide noble Prince Henrie the eight knew full wel it was not his Fathers meaning to defraud his eldeſt daughter, nor her ſucceſſion. And therfore it is altogether improbable that hee ſhould haue forget the mind and intention of his magnanime Father, in a matter ſo recentlie and righteouſlie done: and that with his owne ſpeciall conſent and good lyking.

Thirdlie, the ſaid noble King, knowing what torte and wrong his Father had receaued of Richard the 3. by ſuch partiall exceptions made againſt his title, and publiſhing ſo bitter lawes againſt him, he could de not be ſo obliuious, much leſſe iniurious, as to fall in the ſame error, which both hee himſelfe, and all iuſt men did ſo much abhorre in the perſon of the ſaid vſurper.

Ferdlie in reſpect that about the ſame time when the ſaid pretended Teſtament is alledged to be made it is certainlie knowne that the ſaid noble King Henrie the eight, did treat a mariage betwixt Prince Edward his ſonne & Mary of Scotland his petite Niece, for which cauſe it were out of all purpoſe to think that hee ſhould at one time deale ſo kindelie and vnkindly

kindelie : as vnder pretext of ſuch newe affinitie to preiudge his neareſt Niece, of all her lawfull eſperances.

Laſt, ſhall we beleeue that King Henrie the 8. who was a miracle, yea a mirrour in his age of all magnificence appertaining to a Chriſtian Prince, ſhould haue bene inferior in iuſtice and pietie to Iohn Galeas Duke of Millaine, who ſhall bee for euer praiſed for his equitie in preſeruing the prerogatiue of birthright. For going to depart, he called his children, & ſaid: *O dura Lex, ô dura natalitij iuris prærogativa, quæ a quales genere, ac natalibus inæquali ſorte ſeiungis? Dolebat enim Iani filij ſtolidioris annos, virtuti Philippi Mariæ anteferri.*

My peremptorie anſweres be theſe.

The firſt is grounded vpon this deciſion. *Nec verò ſi aliquis Rex conſenſum ſtatuum haberet, vt priuaret regno filiũ aut proximum, poſſet tamen id iure facere: quia qui priuare non poterit, non debet id facere cuius prætextu per Legem inducatur priuatio.* For it is ſo cleare as the Sunne at mid day, & all the Doctors both of the Canon and Civill Lawe, in one voice agree thereunto, that no Prince nor eſtate *ſeparatim vel coniunctim*, hes power to transfer the crowne from one to an other, namelie, where the crowne is ſucceſſiue. For if it were lawfull to reiect one, and mak choiſe of an other, then ſhould ſucceſſion be turned in election, which were abſurde. And heerevpon is there manie deciſions of the Doctours, whereof I repeat a few. One of Iaſon ſaying, *Quod regna deferantur lege Diuina, naturali, conſuetudinaria & Canonica*, L. Nemo poteſt Paragr. legi.

*ca, primogenito: per rationem huius textus, Nemo potest disponere regna, nisi secundum Legis dispositionem. Idem Felinus asserit & Ioannes Andreas Cap. licet De voto, Abbas cap. intellecto, de Iureiurando. Vbi dicit Reges non posse priuare consanguineos spe regni, & * secundum Innocentium. Nec patres Reges possunt primogenitos exhæredare aut minuere iura primogenituræ. Benedictus in cap. Reynutius in verbo, in eodem testamento, Quia Regna deferuntur iure sanguinis & quæ naturæ beneficio competunt liberis exhæredatione paterna tolli non possunt, nec etiam statuum Regni ministerio in remotiorem transferri. Denique, cum Dominus non tulerit Israelitas, imo dederit illos in direptionem, quod spreta domo Dauid, sibi Regem Ieroboam filium Nabath constituissent, negari nequit quantum partiales Regnorum translationes à propinquioribus ad remotiores, non solum legibus humanis, verumetiam voluntati Diuinæ repugnent.*

In cap. si here. des. de Testamẽ Cap. grandi de supplend. neglig. prælato in 6. Baldus con. 366

Secondlie, the said pretended Testament was supposititious, & contriued by such as meant to defraud both the heires female of the said king Henrie the 8. aswell as these of his eldest sister, which did manifestly appeare immediatlie after the death of the said yoũg Prince Edward, when as the Lord Gilford eldest son to the Duke of Northumberland did marie with Ladie Ieane, eldest daughter to the foresaid Ladie Francoyse Duchesse of Suffolke, to whome the said Testament designed the succession: the meaning of which mariage was to erect the said Ladie Ieane, and to deject the two innocent and moste illuster Enfantes of Henrie the eight, Queene Marie, and Queene Elizabeth.

Thirdlie, of the witnesse that had signed the saide pretended Testament, three of the most honest & famous

mous thereof, vppon remorſe of conſcience before Queene Marie their Soveraigne Lady and her honorable Counſel, did depone, confeſſe, and ſweare, that the ſaid Teſtament was neuer ſigned by the ſaid king Henrie, but was ſealed by one William Clerk with the kings ſeale, when as the king was either dead, or in the laſt article or agonie of death, hauing no ſenſe, knowledge, or remembrance: and theſe three witneſſes were the Lord Paget, Sir Edmond Montague Knight cheef Iuſtice, and the ſaid William Clerk affixer of the ſeale as is aforeſaid. Vpon which teſtification the ſame beeing duelie tried, by all circumſtances requiſit, that it was not by corruption, ſuborning, nor menaces exhibite by the ſaid witneſſes: the ſaide Queene Marie, to the honour of God and her Realm, for defence of the verity, iuſtice, and dignitie of the ſucceſſion Royall, and for auoyding of manie inconuenients that thereof might haue enſued by the partialitie of the ſaid pretended Teſtament, cauſed the examplar, memoriall thereof, which was in the Chácellarie, to be cancellat, lacerate, and deſtroyed as a thing indigne to haue place amongſt the true and authentick regiſters of ſo noble a Realme. By which genereux and iuſt act, ſhe merites no leſſe praiſe nor the Romanes and Epheſians, the one defacing the name of the Tarquins for the meſhant act of Tarquinius Superbus: the other making a Law prohibitiue to all hiſtorians, neuer to mention the name of Impius Eroſtratus within their commentaries.

But fearing leaſt prolixitie make mee tedious, I retranche and omitt manie pithie allegations that might be pertinentlie opponed to the aduerſare, referring a more ample diſcourſe vpon this ſubiect, to more leaſure: or rather, to one more verſed in Lawes and hiſtories, nor I am: cloſing this ſection of my Palinod with a double admiration.

In the one I cannot enough maruell howe our aduerſaries can obiect ſo confidently againſt vs this law poſitiue againſt ſtrangers, ſeeing they think the poſitiue Law ſalique ſhould haue no place nor power againſt their proximitie of blood in France. *Et ſi identitatis ratio ſequenda eſt, æqualium æqualis eſſe debet conſideratio, & quod ſibi fieri nolunt, alteri facere non debent.* And ſo they ſhould in reaſon think their law tranſmarine, or peregrine, to haue no more authoritie againſt his Maieſtie, nor they would wiſh the Lawe Salique to haue againſt their ſelf according to old deciſions. *Patienda ſunt Leges quas ipſi tulimus, &, Quod quiſque iuris in alios ſtatuit, ipſe eodem iure teneatur.*

My other admiration is, that a Nation ſo wiſe, politick and prudent, ſhould not for-ſee the inquencheable combuſtion that may bee kindled within their owne bowels by eſtabliſhing, or maintaining Lawes vniuſtlie made againſt iuſt ſucceſſors to their crowne: which kind of partialitie as it hes euer beene the peſt & perdition of all common wealthes vſing the ſame, ſpeciallie of ſuch as haue bene moſt famous and glorious, ſo can it not in this age produce anie better effects

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fects, but to distract the people vpon diuersitie of respects, to follow diuerse and dangerous factions.

Which inconuenient no other Christian Nation had more need to prevent nor the flourishing Realm of England: for as they are wealthy, so are they much enuied for their felicitie, whereby it cannot faile if anie debate be for their crowne betwixt contrair competitors but their Realme shall be a stage or playing fielde to all Nations: the one pairtie inuyting some forainers to his aide, and his aduersare dooing the like: knowing that no stranger shal be vnwilling thervnto, some vpon auarice, some vpon malice, some for both: euerie one already attending to set vp their rest vpon hope to repaire their aduerse or base fortunes, with the ruine of that most noble, famous, and vertuous Realme, which of old for the fertilitie of the soile, and rare bewtie of the inhabitants was called the Realme of God, whome of his great mercie with ardēt vowes and humble supplication I implore, long (yea euer) to preserue them from such destanie, dysaster, and desolation.

As to that where I moste irreuerentlie and iniuriouslie alledge his Maiestie to bee made incapable by reason of a clause contained in the act of Association, made at Westminster, Anno which his Maiesties mother of good memorie did signe (as is alledged.) In this iniust allegation, I confes a malitious & impudent error: for no such clause is contained in the Association, and though it were contained, yet what

what her Maieſtie did conſent or yeeld vnto in her captiuitie (*& propter metum qui poteſt cadere in ſexum conſtantiorem*) is not obligatorie to her ſelf, much leſſe to her innocent ſucceſſor, whoſe title is *Maior omni exceptione*: For probation whereof, I will not reckon his auncient deſcent from the Royall blood of England, (as that of Malcolme the 3. called Canmore with the Niece of Edward the Confeſſor before the conqueſt, nor that of King Iames the firſt, with the petite Niece of Iohn of Gant Duke of Lancaſter) but I holde mee at a probation ſo patent and recent, as no man can pretend ignorance or obliuion thereof, affirming (as the trueth is) that his Maieſtie hes the iuſt title *ex vtroque Parente*: For being the vndoubted heire of Margaret eldeſt daughter to King Henry the 7. he muſt alſo be-he vndoubted heritour of the crowne, after the death of Queene Elizabeth her Maieſty preſent, who is the only graff or branche remaining of the maſculine deſcent, or of the ſonnes of the ſaid Henry the 7. In whoſe perſon by vertue of his mariage with the righteous heire of the houſe of York, like as hee was the vndoubted heire of the houſe of Lancaſter, the crown of England was infallibly eſtabliſhed, and the two roſes vnited. And the cleerneſſe of this Pedegree ioined with the knowledge I had thereof, maketh my offence ſo much the more inexcuſable, I being a cõſcienceles contradictor to my owne knowledge, committing therby not only an civill hereſie, but euẽ a ſin againſt the holy ſpreit in oppugning the known veritie, God moſt iuſtly puniſhing my pride, & adding vn

to the multitude of my other ſins. this moſt capital & damnable conſort of deſperatiõ, which by no meanes I had eſcaped, if I had obſtinatly perſeuered in my former induration, yea notwithſtanding my vnfenzeit repentance I ſhould yet doubt of Gods mercy, if former examples did not aſſure mee. But when I ſee a chief Apoſt. againſt his knowledge denying his Maiſter, repenting, confiding, & receiuing pardon, I begin to thinke that it is naturall to ſin, brutall to perſeuere, Chriſtian to repent, & diueliſh to diſpair, *& quia peccantium pars optimus pœnitentia, & pœnitentium ſtatio tutiſſima confidentia. Sed quia veram pœnitentiam pudor peccati commiſſi præcedit*, I will with Miriam be aſhamed of my ſelf as if my father had ſpitted in my face, I wil be hũbled with the Publican, confeſs my inſolence with the forlorne ſonne, repent & weep bitterly with Peter, & confide with the faithfull Brigand. Knowing there is no ſinne can exceed the mercy of God, who deſcended from heauen to earth, & from thence did againe aſcend to heauẽ, to ſaue the ſinners & not the iuſt, the Publican & not the Phariſie, leauing behind him many pithy arguments vnto ſuch as would be called his Diſciples, perſwading them to mercy after his example. Whereunto the moſt noble both fidell & infidel Princes haue euer bene inclyned, according to that of the Poet. *Quo maior quiſque eſt magis eſt placabilis iræ, Et faciles motus mens generoſa capit, &c*, The great Monarch Iulius Cæſar culd forget nothing but iniuries: & Titus called *delitiæ generis humani*. thoght the day euil ſpẽded, wherin he had not done ſome work of cõpaſſion.

And the Royall Prophet ſayes, *Ne tradas beſtijs animam confitentem tibi*: wherby is meant, as the learned affirm, that confeſſing penitents ſhould not be deuoured nor driuen to deſperate courſes. By which clement moderation this preſent moſt chriſtian King hath ſo honored, enriched and ſtrengthened him ſelfe with the harts of the people, as is incredible: who when they obſtinate were moſt obſtinate againſt him, his Maieſtie laked incēdiarij not incendiarij bontiſeus to animate him to fire and ſworde, and to all violent vindications vppon his inobedient townes and ſubiects, yet his anſwere euer was, *Voulez vous que ie ne ſoy que Roy des cendres & des Cemiters.*

But his patience aboue all toward George L'apoſtre (a man both learned and eloquent) is remarkeable: for notwithſtanding the ſaid George had written many iniurious and irreuerent pamphlets againſt his perſon and title, yet his Maieſtie receaued him gratiouſlie without recitall of anie offence paſt. For which benignitie the ſaid George hes changed his ſtyle, & hath alreadie begun in a treatiſe moſte exquiſitelie written, to conferre, yea, to prefer his Soueraigne in proweſſe, pitie, and in all other Princelie parts to Iulius Cæſar, and ſome day will ſerue him for a Virgill and Homer.

To this ſame purpoſe of clemencie Clemens Romanus *in conſtitutionibus Apoſtolicis lib. 1. inquit, Æquum eſt vt in iudicando Dei ſententiam ſequamur, & vt ille iudicat peccatores, modo pœnitentes, ita & tu iudices. Nonne Dauidem impulsore ſtratum, Ionam in ventre Balena lugentem, Ezechiã lachry-*

lachrymantem, Manasſem in vinculis languentem, &c. crimine liberauit? Publicani, Petri, Magdalenæ, Filij perditi, Ouis errantis exempla & parabolæ miſericordiam diuinam abundè prædicant. A ſceleribus peccantium, non ab eorum conſortio abſtinendum Chriſti cum Publicanis conuerſatio indicat. Sed hic iudicio opus eſt, quibus parcendum, quibus non. Hactenus Clemens. Cui non inepte reſpondere videtur Cicero, 2. de natura Deorum dicens: Si pœnitentibus grates habendæ ſunt, illis fiant qui voluntariè, non neceſſario, liberi, non captiui, reſipiſcunt.

Of which number although I may without oſtentation affirme my ſelfe, yet vnflattering my ſelf I muſt alſo confeſſe, that no ſatisfaction, no expiation, no merite of myne preſent or future, can deſerue mercy, without his Maieſties extraordinar grace: for in all degrees that a paſſionat lyer, calumniator, blaſphemer, yea an Atheiſt could in thoght, worde, or write offend his Prince, I haue offended: and in ſuch ſort, as if his Maieſtie ſhall think my crime irremiſſible, hee neither ceaſes to be mercifull, nor no other offender ſhould take occaſion to doubt thereof, becauſe none hes or can offend ſo deſperatlie as I haue done. The remorſe and ſorrow whereof hath ſo cauterized my wounded conſcience, that I proteſt before God and his holie Angels, neuer to pardon my ſelf, howſoeuer his Maieſties pleaſure be to accept of my penitencie. But to cloſe this digreſſion, ſince the practiſe of this mercie and benignitie (which is the viſible image of God) was neuer more liuelie expreſſed in any Prince nor in my ſoueraigne Lord, to perſwad him vnto that which hee dailie practiſes, were ſuperfluous, or to

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bring anie other example but himself (the examplar and pattern thereof) were a matter iniurious. For what is the man of account within his Realme, that hath not tasted of his mercie? Or who vnfenzetlie repenting, needed euer to doubt of reconciliation, and not only of reconciliation, but of reward? as one not delyting in the blood of his people, but in their benevolence, a father to orphelings, a warrand to wedowes, a fortresse to forlorne, a refuge to al that haue recourse vnto him: and in one word,

Est piger ad pœnas Princeps, ad præmia præceps:
Quique dolet quoties cogitur esse ferox.

O miserable vnhappie wretche that Iam in offending so beastlie a Maiestie so bening, and yet neither miserable nor vnhappie in respect of his naturall humanitie which holdes mee in hope againſt hope.

Nam mihi spes superest cunctis mitissime Princeps,
Spes mihi, respicio cum mea facta, cadit.
Ipse licet sperare vetes, sperabimus, atque
Hoc vnum, liceat te prohibente, fore.
Sed redeunt abeuntque mihi variantque timores,
Et spem placandi dantque, negantque tui.
Parce precor fulmenque tuum & fera tela reconde,
Heu nimium misero cognita tela mihi.
Parce pater Patriæ, nec nominis immemor hujus,
Tandem placandi spem mihi redde tui.

Now for Catastrophe of this my recantation, since I haue refelled my former cauillations so penitently and pithyly as I could: First I humblie implore the beneuolence and pitie of the Reader, & of all others, skanda-

skandalized by my lewd example, seeing my deplorable estate is more to bee pitied, nor enuied: as also though I haue most worthelie procured the ire of all honest men, yet my misery makes me vnworthy therof. For what am I but a dead Dog, *stipula sicca, & folium quod vento rapitur*, To eik affliction to my affliction, *est cum larvis luctari,*

Quid iuvat extinctos ferrum dimittere in artus,
Non habet in nobis iam nova plaga locum.

Next if anie thing be omitted herein that may be thought necessarie for his Maiesties satisfaction, beeing aduertised thereof I shall indelaitlie adde and enlarge the same: Protesting notwithstanding, that if I haue forget anie materiall point, it is of no fraud or malice, but for lack of better knowledge, as by the originall invectiue all written with my owne hand, & deliuered to an honorable person his Maiesties most loyall subiect will in the owne time appeare. Moreouer, it by anie malitious person anie thing bee added or put out in my name, more nor I haue said, I shall Godwilling disburthen my self dewtifullie, & charge the authors thereof in such sort, as perhaps shall bee to his Maiesties contentment, and litle to their credite, and that indelaitly after the same shall come to my knowledge.

Thirdlie, since God of his infinite mercy hes blessed our poore Realme of Scotland with a Prince so learned, so wise, so clement, so godly: my exhortation is that no offender his present subiect, or that may be hereafter, doubt of his benignitie and grace, seeing

the daily experience we haue of the same: speciallie, whosoeuer hes priuatlie or opinlie participate with mee of my lewdnes or rebellion, I beseech them also for safetie both of soule and bodie, to ioine with mee in my rescipiscence: for they may be well assured that the hand of the Omnipotent (if not his Maiesties hand) will finde them out some day, either by sea or land to their confusion, if they incline not to speedie and penitent conuersion. And heerewithall I would wish such as haue bene so happy as not to offend, that they may remaine constant and loyall to the end, to the effect that all may vnanimelie concurre to incress his Maiesties greatnes, and to advance his most equitable possibilities, burying their own particular querreis, and abstaining vpon whatsoeuer respect to make Sturre. *Remuemens or commotiõs within his Realm, much lesse against him self. For if the most inward and irreprehensible seruants of God in ages past (as is before said) did for conscience sake without murmuration or mutinerie, obey idolatrous and infidell Princes, what reason can we haue that be corrupted, & in a corrupted age, to trouble or inquiet the Christian and moderate estate and gouernement of a Prince so moderate, so Christian, and one so accomplist with all vertues necessarie for his Royall vocation (*Pietatis & Iustitiæ protoiocus.*

Last of all my obleist dutie binding mee in all leasome manner to wish and procure the felicity of the Kealme of England, for manifold courtesies there receyued:

ceyued: (which with great fulneſſe according to my meanneſſe I ſhall alwaies remember) I cannot omit to preſent vnto them this friendlie remonſtrance, wherin the captious interpretations of cunning perſons wherunto I ſhal be ſubiect, cannot impeſhe mee to vtter the ſinceritie of a well affected friend, affirming that the cheef worldly meane to continue their long enioyed proſperitie, is, tymouſlie to ſet their minde vpon the King my Soueraigne (their vndoubted ſecond perſon) by giuing vnto him ſome certain ſignification of his due, and of their dutie. For their ſilence is not without probable ſuſpition that their mindes bee inclined and directed ſome other way, whereby his Maieſtie may take iuſt occaſion to eſtabliſh his pairtie by ſome other forraine courſe. It is not yet ſo long agoe ſince the calamitie procured by the doubtful ſucceſſion of the houſes of York & Lancaſter, diſtracting that nation in contrair factions, but that the deplorable memorie thereof, may yet ſerue for a preſent caveat and inſtruction. To preuent ſuch dangerous inconuenients, God hes offied vnto them a meane and way, which they may (or rather ſhould) with reaſon, policie, and ſaue conſcience vſe and embrace, as a ſingular bleſſing prouided to increſſe their happineſſe, and to continue them in their former ſecuritie. For reaſon and good conſcience doth recõmend vnto them the King of Scotland, becauſe he is the righteous ſucceſſor: and policie will perſwade his preferment, becauſe he is a Prince; and all other Cõ-

petitors within the Iland bee but ſubiectes: he hes an auncient Realm to ioine vnto theirs: he hes a princelie power to maintaine them againſt their enemies: He hes the vniuerſall loue and amity of all Chriſtian Princes, by vertue whereof, if they were once known to be his ſubiects, their merchands might traffick alwhere, without danger: and their Realme needed not to feare anie foraine invaſion. But if confiding in poſitiue Lawes, and in their owne power, they minde to bar him, notwithſtanding his iuſt title, and all other commodities which he might import vnto them, let them at leaſt be terrified from ſuch deſperate induration, by example of ſuch as heretofore haue attempted, and repented ſuch like machinations. For God Almightie is the authour and autorizer of all right, ſpeciallie in Realmes. For defence whereof amongſt his owne people, he hes not onelie raiſed vp extraordinarlie both men and wemen, as Ioſue, Sampſon, Debora, and the reſt of the Iudges to bee his champions: but he hes vſed ſpirituall powers, yea ſometyme dumb elements, to execute his vengeance vpon vniuſt vſurpers with their conſorts and complices. His Angell deſtroyed the hoſt of Sennacherib. The red ſea devoured Pharao and all his chariots. The fire was a fortreſſe, and the cloudes a cabinet for his people, til they wer brought in poſſeſſion of their promiſed inheritãce: from which no might, no ſlight, could ſeclude them. All hiſtories be full of ſuch examples, but for auoyding tediouſneſſe, I content mee with

that

that onelie of the preſent King of France (the ornament of this age) becauſe it is moſte recent, and remarkable. What leagues? what proiects? what *monopoles? what Machiauelian machinations was made againſt him? But all in vaine. *Lapidem quem reprobauerunt ædificantes, hic factus eſt in caput anguli. Mirabile eſt in oculis noſtris, ſed hoc factum eſt à Domino, contra quem nõ eſt poteſtas, non eſt virtus, non eſt conſilium.* *Plots

By this my remonſtrance my meaning is not ſeditiouſlie to ſtirre vp anie faction or pairtie againſt her gracious Maieſtie of England during her time: For with my hart I wiſh vnto her a long, peaceable, and proſperous raigne, knowing that her naturall inclination to juſtice, kindnes, and equitie, will not ſuffer her to be vnkinde to her neareſt neighbour, Couſing and moſte faithfull confederate, nor ſo improuident for the ſecuritie of her people, (amongſt whom ſhee hes ſo long liued lyke the louing Pelican) as to leave them in ſuch incertitude after her death, that they ſhall not know whome to obey: much leſſe that ſhee ſhall eſtabliſh anie Lawe to the preiudice of the lawfull ſucceſſor, whoſe patience ſhould be a great perſwaſion to rander vnto him ſuch arles and aſſurance of his poſſibilitie: *Quia vt intrantes egredientium moram, quantumuis prolixam, patienter ferre debent: ita egredientes aut poſſeſſores ſucceſſoribus certa intrandi argumenta præſtare tenẽtur: ne hi vana ſpe, illi quotidianis expoſtulationibus fatigati, querantur.* And as all louing the proſperitie of the Iland do wiſh this mutual correſpondence to bee betwixt their Maieſties: ſo no doubt the reciproque

practiſe thereof, ſhould produce great loue and contentment betwixt them, with no ſmall felicitie preſent and future to the ſaid Iland. And this is the only ſcope and marke that I aime at: as one now abhorring all ambition, vnfit for anie preferment, ſcorning all flatterie, fearing no temporall feare, nor eſtabliſhing my felicitie vppon fragill worldlie eſperances. For my foote is alreadie in the graue, *Chorea, balnea, ſymphoniaci, ſympoſia, fel, & abſynthium. Cibus nauſeam, potus vomitum prouocat. Dies nocti bus, diebus noctes grauiores. Appropinquant anni in quibus dicam, non placent. Commouentur cuſtodes domus, ot ioſæ ſunt molentes in minuto numero, tenebreſcunt videntes per foramina, conſurgitur ad vocem volucris. Amygdalus florere incipit, locuſta ſnpinguari, diſſipari capparis, funiculus argenteus conteri, & hydria aurea rumpi.* Age and ſickneſſe the ſergeants of death already charges me, perſonallie apprehended, (leaſt I ſhould pretend ignorance) to pay the due of nature. *Et ſomni breues, inſomniſque perturbati Sororem pro foribus præſtolari indicant. Dies mei præterierunt, cogitationes meæ diſſipatæ ſunt, torquētes animam meam. Sicut arcus aut arator incuruatus ſum. Itaque vado dicere putredini pater meus es, mater mea & ſoror mea vermibus.* In this laſt period of my lothſom life, theſe tē porall trūperies of fortune can yeeld mee no profite.

Non domus aut fundus, non aris aceruus & auri,
Ægroto Domini deducunt corpore febres.

Neither can they pleaſure me anie more

Quàm lippum pictæ tabulæ, fomenta podagram,
Auriculas cythara collecta ſorde dolentes:

So ſince I am inutile to the world, and the world vncouth to mee, my pleaſure ſhal be a priuat and re-

teered

teered life, if I can attaine thereunto, and I will ſtudy to hurde vp all my treaſure where rouſt cannot rotte, nor theef robbe. To this effect as Elias aſcending did willinglie let his mantle fall, that it ſhoulde not empeſh his tranſumption, ſo will I not bee aſhamed to quite the mantle of hypocriſy wherewith to this hour I haue couered a multitude of greeuous vices, which (allace) with long habitude haue ſo poſſeſſed and ouerruled mee, that the more I ſhould liue, the more I ſhould offend God and my neighbour. *Propterea tædet me vitæ meæ, & cupio diſſolui & eſſe cum Chriſto.* I haue too long remained in the Tentes of Kedar, *& in diuerſoriis Aſeſech*, where I haue bene a ſoiourner, no Citizen, a Pilgrime, no Proprietare. Now it is high time for me after ſo long exile and peregrination in this worldly deſert and wildernesſe, to ſeek out my promiſed inheritance from which my long abode, nor great vnloyaltie (God aſſiſting mee with his grace) cannot ſeclude mee. For by example of the forlorne Sonne & Publicane, I feare neither my inſolence nor vnworthineſſe. By example of the labourers I hope to be rewarded as ſoone, (if not before them) as them that haue trauelled from the break of day, notwithſtading my larenes. And by example of the faithfull Brigand I expect in the laſt article of my life, that ioyfull verdite and ſentence that was pronounced vnto him:

Hodiè mecum eris in Paradiſo.

Io. Coluille.